



# City of San Antonio

## Agenda Memorandum

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**Agenda Date:** May 5, 2022

**In Control:** City Council

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**DEPARTMENT:** Development Services Department

**DEPARTMENT HEAD:** Michael Shannon

**COUNCIL DISTRICTS IMPACTED:** District 8

**SUBJECT:**

Zoning Case Z-2022-10700002 S

**SUMMARY:**

**Current Zoning:** "PUD C-2 AHOD" Planned Unit Development Commercial Airport Hazard Overlay District

**Requested Zoning:** "C-2 S AHOD" Commercial Airport Hazard Overlay District with a Specific Use Authorization for a Hotel

**BACKGROUND INFORMATION:**

**Zoning Commission Hearing Date:** April 5, 2022. This case is continued from the March 1, 2022 Zoning hearing.

**Case Manager:** Despina Matzakos, Planner

**Property Owner:** Austin Equity Investors Ltd.

**Applicant:** Sanjay Misra

**Representative:** James McKnight, Brown & Ortiz P.C.

**Location:** 4242 Medical Drive

**Legal Description:** Lot 34, NCB 11622

**Total Acreage:** 2.35 acres

**Notices Mailed****Owners of Property within 200 feet: 13****Registered Neighborhood Associations within 200 feet: NA****Applicable Agencies: NA****Property Details**

**Property History:** The property was annexed into the City of San Antonio on November 20, 1963, by Ordinance 31907 and zoned "B-2" Business District. Under the 2001 Unified Development Code, established by Ordinance 93881, dated May 03, 2001, the property zoned "B-2" Business District converted to the current "C-2" Commercial District.

**Topography:** The subject property is located within the Aquifer Artesian Zone and the Upper SAR Watershed. The subject property is also within proximity to a Mandatory Detention Area.

**Adjacent Base Zoning and Land Uses****Direction: North****Current Base Zoning: C-2, MF-33****Current Land Uses: Office Buildings, Empty Land****Direction: East****Current Base Zoning: C-2, R-6, MF-33****Current Land Uses: Empty Land/Parking Lot****Direction: South****Current Base Zoning: C-3, R-6****Current Land Uses: Restaurant/Fast Food, Tattoo Shop, Auto Sales****Direction: West****Current Base Zoning: C-2 PUD****Current Land Uses: Bank, Office****Overlay District Information:**

The "AHOD" Airport Hazard Overlay District, due to the location of the property and its proximity to an airport or approach path, does not restrict permitted uses, but can require additional review of construction plans by both the Development Services Department and the Federal Aviation Administration.

**Special District Information:**

The "PUD" Planned Unit Development special district provides flexibility in development projects by allowing a combination of uses developed in accordance with an approved plan that protects adjacent properties; while preserving natural amenities and features of a site and providing for a minimum amount of open space. PUDs provide for a more efficient arrangement of land uses, buildings, circulation systems and infrastructure; encourage infill projects and development of sites made difficult for conventionally designed development because of shape, size, abutting development, poor accessibility, or topography. A site plan is required for a rezoning to "PUD"

that will include the location of the uses. A zoning review is performed by the Zoning Section of the Development Services Department during the review of the plat and building permit.

**Transportation**

**Thoroughfare:** Medical Drive

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None

**Thoroughfare:** Fredericksburg Road

**Existing Character:** Secondary Arterial A

**Proposed Changes:** None

**Public Transit:** The subject property is within proximity to one (1) VIA bus route.

**Routes Served:** 602

**Traffic Impact:** The traffic generated by the proposed development does not exceed the threshold requirements. Development generates less than seventy-six (76) PHT Sec. 35-502.

A TIA Report is not required.

**Parking Information:** The minimum parking requirement is 0.8 per room plus 1 per 800 sf of public meeting area and restaurant space.

**ISSUE:**

None.

**ALTERNATIVES:**

**Current Zoning:** “C-2” Commercial Districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

**Proposed Zoning:** “C-2” Commercial Districts accommodate community commercial uses, with unlimited building size, and building height limitation of 25 feet. Examples of permitted uses: liquor store, miniature golf and other indoor gaming facilities, small indoor movie theater, pet cemetery, auto & light truck oil, lube & tune-up, auto glass tinting, tire repair (sale and installation only), gas station, appliance sales & repair, charitable food & clothing banks and dry cleaning. No outdoor storage or display of goods shall be permitted except for outdoor dining.

The proposed “S” Specific Use Authorization would allow for a Hotel.

**FISCAL IMPACT:**

None.

**PROXIMITY TO REGIONAL CENTER/PREMIUM TRANSIT CORRIDOR:**

The subject property is within proximity to a premium transit corridor and is within proximity to a regional center.

**RECOMMENDATION:**

**Staff Analysis and Recommendation:** Staff and Zoning Commission recommend Approval, with Conditions.

The Conditions include:

- 1) Downward facing lighting.
- 2) Six (6) foot solid screen fencing.
- 3) Maximum height of five (5) stories.

**Criteria for Review: According to Section 35-421, zoning amendments shall be based on approval criteria below.**

1. **Consistency:** The subject property is located within the Medical Center Plan and is currently designated as “Urban Mixed Use” in the future land use component of the plan. The requested “C-2” base zoning district is consistent with the future land use designation.
2. **Adverse Impacts on Neighboring Lands:** Staff does not find evidence of likely adverse impacts on neighboring lands in relation to this zoning change request. The proposed use is consistent with the established development pattern of the surrounding area. Surrounding properties are primarily “C-2” Commercial, “MF-33” Multi-Family, and “R-6” Residential Single-Family, with actual land use consisting of office space, medium-intensity commercial, or empty land. The addition of a Hotel through Special Use Authorization matches the existing character of the area.
3. **Suitability as Presently Zoned:** The existing “PUD C-2” Planned Unit Development Commercial District is an appropriate zoning for the property and surrounding area. The proposed “C-2 S” is also an appropriate zoning for the property and surrounding area. The base district remains “C-2” Commercial District and the Specific Use Authorization allows the use of a Hotel.
4. **Health, Safety and Welfare:** Staff has not found indication of likely adverse effects on the public health, safety, or welfare.
5. **Public Policy:** The request does not appear to conflict with any public policy objective.

Relevant Goals and Policies of the Medical Center Plan may include:

- Land Use Recommendation #4: Promote and preserve higher intensity commercial uses, such as office buildings, hotels, and larger retail centers along the I-10 frontage.
- Economic Development Recommendation #2: Create a wider variety of uses, amenities, and attractions in the Medical Center Area to support and attract a greater diversity of residents, employees, and visitors.

Relevant Goals and Policies of the SA Tomorrow Plan may include:

- GCF Goal 1: Higher-density uses are focused within the city's 13 regional centers and along its arterial and transit corridors.
- GCF Goal 2: Priority growth areas attract jobs and residents.
- JEC Goal 1: Employment is focused in the city's 13 Regional Centers, in site-specific locations in Urban Centers and along mobility corridors, providing easy connectivity for San Antonio's residents and businesses.
- JEC Goal 2: Traditional and targeted growth industries support San Antonio's diversified economy and provide a wide range of job opportunities.

6. **Size of Tract:** The 2.35-acre site is of sufficient size to accommodate the proposed Commercial uses and development.
7. **Other Factors:** The purpose of the Specific Use Authorization is to provide for certain uses which, because of their unique characteristics or potential impacts on adjacent land uses, are not generally permitted in certain zoning districts as a matter of right, but may, under the right set of circumstances and conditions be acceptable in certain specific locations.

The applicant seeks to construct a 66-feet tall Hotel with 130 rooms.